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JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Friday - 4 October 1974

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1. [] Met with James Davidson, staff member, Senate Government Operations Committee, and discussed the Agency's request for a partial exemption from the provisions of S. 3418, the Senate version of the right of privacy bill. I explained that OMB had not cleared our views in sufficient time to be considered by the Committee. He said that the bill is scheduled for floor vote next Thursday and that Senator Sam J. Ervin, Jr. (D., N. C.) will submit a number of technical amendments. He further stated that our exemption could be included since the Committee report on the bill states that it was not the intent of the Committee to adversely affect the operations of national security agencies. However, this would be a personal judgment for Senator Ervin. I explained our problems with section 553 of title 5, U.S.C., the rule-making procedure. Davidson said he will meet with Norm Cornish, Deputy Staff Director, House Government Operations Subcommittee on Foreign Operations and Government Information--staff officer on the House version of the privacy bill (H.R. 16373)--at which time he will discuss our exemption. Davidson will call me next Monday, as to the result of their meeting.

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2. [] In response to his request met with Ed Braswell, Chief Counsel, Senate Armed Services Committee, to discuss the implications of the Hughes covert action amendment. See Memorandum for the Record.

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3. [] In light of Ed Braswell's, Chief Counsel, Senate Armed Services Committee, comment that a cleaned up Foreign Assistance Authorization bill may be reported by the Senate Foreign Relations Committee before recess, I called Matthew J. Harvey, Legislative Affairs, AID, and in his absence spoke with Christopher Russell of his staff. Russell said they had no information that this would happen, but said he would be checking with the Committee and would let me know if he learned anything differently.

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4. [] Spoke with Bud McFarlane, NSC, and reviewed the various initiatives in the Senate and the House on covert action and our contacts on the Hill on this matter. I asked if he could give us any specific guidance in general and in particular as to the extent the legislative propositions encroach upon the President's constitutional authorities. McFarlane thanked us for calling this to his attention indicating that it hasn't received much attention up to now and we LDXd him a copy of the proposed amendment draft by Marian Czarnecki, Chief of Staff, House Foreign Affairs Committee.

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5. [] Max Friedersdorf, Deputy Assistant to the President for Legislative Affairs, returned my call of Thursday. I told him our interest is to keep them informed and of course to invite any suggestions they may have and reviewed the status of the various legislative initiatives involving covert action and our contacts in connection therewith on the Hill. Friedersdorf appreciated being kept up-to-date and in response to my inquiry said he believed the Committee Reform legislation (which would grant the House Foreign Affairs Committee an overview authority with respect to foreign and military intelligence) was doomed to failure.

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6. [] In a meeting with Frank Slatinshek, Chief Counsel, House Armed Services Committee, it was learned that Chairman Nedzi has prepared amendments to delete the overview authority granted the House Foreign Affairs Committee in the Committee Reform Amendments of 1974 (H. Res. 988). Slatinshek doubts that the Committee Reform legislation will pass this session.

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7. [] Spoke with Mr. Meissner, on the staff of Senator Charles H. Percy (R., Ill.), and obtained from him a listing of personal staff and Government Operations Committee staffers who will attend the briefing next week on oil: Joseph Farrell, Administrative Assistant; John Childers, Legislative Assistant; Robert Vastine, Minority Counsel, Government Operations Committee; Stuart Statler, Minority Chief Counsel, Hanna McCornack, Special Counsel, and Robert Sloan, Special Counsel, Permanent Subcommittee on Investigations; and John Pearson, Professional Staff Member, Subcommittee on Reorganization, Research and International Organizations.

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I told Meissner that we always wanted to be helpful but we do have limited resources to conduct such briefings, but we did want to abide by our ground rules that the briefing would not be advertised. He said he understood. He said Scott Cohen, of the staff, would not attend and mentioned [] had seen Cohen about the briefing. It has been tentatively set for 2:30 p.m., 10 October in Percy's office.

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